

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

**EIGHTY-FIRST LEGISLATIVE DAY
THURSDAY, MARCH 31, 2022**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 66 members present.

Absent and excused - Bundy, Erickson, Moon, and Scott.

Total - 4.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Chaplain Tom Dougherty.

3RD ORDER

Approval of Journal

March 31, 2022

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-fifth Legislative Day and recommend that same be adopted as corrected.

CHANEY, Chairman

Mr. Chaney moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

4TH ORDER

Consideration of Messages from the Governor and the Senate

House of Representatives
State of Idaho

March 31, 2022

The Honorable Scott Bedke
Speaker of the House
Dear Mr. Speaker,

I am writing this letter to provide notification, in letter form, that I transmitted to the Idaho House of Representatives in February of 2022, a copy of the Legislative redistricting plan submitted to this office by the Commission for Reapportionment. This report included the plan adopted by the Commission in November, which was later upheld by the Idaho Supreme Court.

Thank you, and please feel free to contact me if you have any questions.

Sincerely,
/s/ Lawrence Denney
Secretary of State

Pursuant to Section 72-1508, Idaho Code, the Speaker ordered the Final Report of the Commission for Reapportionment spread upon the pages of the Journal. (see Appendix)

THE OFFICE OF THE GOVERNOR

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, that pursuant to the provisions of Section 59-917, Idaho Code, CHAD CHRISTENSEN, State Representative, District 32, Seat B, Bear Lake, Bonneville, Caribou, Franklin, Oneida, and Teton Counties, State of Idaho, has nominated, JAMIE FORBUSH, of 6857 E. Highway 36, Preston, Idaho 83263, to perform the duties of this office temporarily as Acting State Representative, District 32, Seat B.

NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Jamie Forbush of Preston, Idaho, to the office of Acting State Representative, District 32, Seat B, for a term commencing March 31, 2022, and continuing until such time as Representative Christensen is able to resume his duties.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 31st day of March, in the year of our Lord two thousand and twenty-two, and of the Independence of the United States of America, the two hundred and forty-sixth year and of the Statehood of Idaho the one hundred and thirty-second year.

/s/ BRAD LITTLE
Governor
/s/ LAWRENCE DENNEY
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Jamie Forbush.

OFFICE OF THE GOVERNOR
Boise

March 25, 2022

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed on March 25, 2022 and am transmitting to the Secretary of State the following House bills, to wit:

[H 481](#), [H 596](#), [H 621](#), [H 689](#), [H 695](#), [H 705](#), [H 765](#), [H 790](#),
[H 791](#), [H 792](#), [H 793](#), [H 794](#), [H 795](#), [H 796](#), and [H 797](#)

Sincerely,
/s/ Brad Little
Governor

OFFICE OF THE GOVERNOR
Boise

March 25, 2022

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed on March 23, 2022 and am transmitting to the Secretary of State the following House bill, to wit:

[H 515](#), as amended in the Senate

Sincerely,
/s/ Brad Little
Governor

OFFICE OF THE GOVERNOR
Boise

March 25, 2022

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed on March 25, 2022 and am transmitting to the Secretary of State the following House bill, to wit:

[H 565](#), as amended in the Senate

within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 9:40 a.m. on March 21, 2022.

I have concerns with the fiscal note and the potential tax shift this legislation will cause. Joint Senate and House Rule 18(b) requires the bill sponsor to reasonably provide "the increase or decrease in revenues by the state or units(s) of local government." The fiscal note is one sentence and simply states there is no impact to the state's General Fund. We know exempting a large category of personal property from taxation will have a significant impact at the local level, and the public deserves to better understand the full budgetary implications of this legislation.

Sincerely,
/s/ Brad Little
Governor

OFFICE OF THE GOVERNOR
Boise

March 28, 2022

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed on March 25, 2022 and am transmitting to the Secretary of State the following House bills, to wit:

[H 509](#), [H 520](#), [H 580](#), [H 642](#), [H 672](#), [H 682](#), [H 702](#), [H 724](#),
[H 748](#), [H 755](#), [H 756](#), [H 768](#), [H 778](#), [H 779](#), [H 780](#), [H 789](#),
[H 798](#), [H 799](#), and [H 805](#)

Sincerely,
/s/ Brad Little
Governor

OFFICE OF THE GOVERNOR
Boise

March 28, 2022

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed on March 24, 2022 and am transmitting to the Secretary of State the following House bills, to wit:

[H 751](#), [H 757](#), [H 758](#), and [H 767](#)

Sincerely,
/s/ Brad Little
Governor

OFFICE OF THE GOVERNOR
Boise

March 28, 2022

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed on March 28, 2022 and am transmitting to the Secretary of State the following House bills, to wit:

[H 701](#), [H 718](#), [H 769](#), and [H 804](#)

Sincerely,
/s/ Brad Little
Governor

OFFICE OF THE GOVERNOR
Boise

March 28, 2022

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed on March 25, 2022 and am transmitting to the Secretary of State the following House bill, to wit:

[H 777](#)

within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 12:25 p.m. on March 25, 2022.

I appreciate the extensive amount of time and work spent by the Joint Finance and Appropriations Committee to develop a sound budget that benefits all Idahoans to the fullest extent. I face the same challenges when developing my executive budget recommendation and can relate to the difficult decisions

involved in managing a lean and efficient budget that fulfills state obligations and accomplishes priorities.

Budgeting involves confronting tradeoffs and setting priorities. Given the growth trajectory of Medicaid spending, my budget proposed to leverage excess Millennium Funds to partially offset the impact to the General Fund. The legislature instead chose to use these funds for a range of other programs, including television content on smoking and vaping.

Rather than addressing this tradeoff in priorities, **House Bill 777** simply leaves a \$3.8 million gap in the General Fund budget that will have to be filled as a supplemental appropriation next legislative session and each session thereafter. This maneuver falls short of the budget integrity ideals espoused in Section 10 of the appropriation bill. Similarly, the passage of **S 1283** with no trailer appropriation, and failing to provide adequate spending authority for childcare assistance grants in **H 764**, will require supplementals next session - a budget mechanism that is intended to be reserved for unanticipated and emergency needs and one that precludes the agency from efficiently managing its annual budget.

Sincerely,
/s/ Brad Little
Governor

OFFICE OF THE GOVERNOR
Boise

March 28, 2022

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed on March 28, 2022 and am transmitting to the Secretary of State the following House bills, to wit:

[H 499](#) and [H 589](#)

within the time prescribed by law, both having arrived in the Office of the Governor at the hour of 6:10 p.m. on March 24, 2022.

From time to time the Legislature sees fit to add additional classes of employees to Police Officer Member Status in PERSI, thus making these employees eligible for earlier retirement under the Rule of 80. Police Officer Member Status was initially meant for individuals who work in professions that require strength, endurance, or had the possibility of perishing in the line of duty. While I appreciate the stress and difficult nature of emergency communications officers, this addition stretches beyond the original intent of Police Officer Member Status.

Furthermore, these bills have inherent inconsistencies. **House Bill 499** adds emergency communications officers employed by counties and cities and by the Idaho State Police, but neglects emergency communications officers employed by the Department of Health and Welfare. **House Bill 589** adds county juvenile detention officers, misdemeanor probation officers, and adult misdemeanor probation officers, but neglects juvenile corrections direct care staff at the Idaho Department of Juvenile Corrections, the equivalent of correctional officers in the adult system. In fact, as a consequence of these two bills, the state employees not covered are the only employees of either state

or local government required to have POST Certification who remain ineligible for Rule of 80.

In a tight labor market, the piecemeal approach to Rule of 80 could actively harm the state's competitiveness in recruiting and retaining a qualified workforce in these important positions. I encourage the Legislature to add these state employees as soon as possible so this inconsistency does not remain in law more than a year. Notwithstanding my abiding concern about expanding Police Officer Member Status beyond its original intent, I have signed these bills.

Sincerely,
/s/ Brad Little
Governor

OFFICE OF THE GOVERNOR
Boise

March 29, 2022

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed on March 28, 2022 and am transmitting to the Secretary of State the following House bills, to wit:

[H 610](#), [H 629](#), [H 650](#), as amended in the Senate, [H 688](#), [H 749](#), [H 762](#), [H 785](#), [H 788](#), [H 808](#), [H 809](#), and [H 825](#)

Sincerely,
/s/ Brad Little
Governor

OFFICE OF THE GOVERNOR
Boise

March 29, 2022

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed on March 28, 2022 and am transmitting to the Secretary of State the following House bills, to wit:

[H 582](#), as amended in the Senate, [H 660](#), as amended in the Senate, [H 699](#), [H 803](#), [H 810](#), and [H 811](#)

Sincerely,
/s/ Brad Little
Governor

OFFICE OF THE GOVERNOR
Boise

March 29, 2022

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed on March 28, 2022 and am transmitting to the Secretary of State the following House bill, to wit:

[H 583](#)

within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 6:10 p.m. on March 24, 2022.

While **House Bill 583** appears to be a simple bill that incorporates a series of definitions into our Idaho statutes, many view this piece of legislation as a first step to bringing digital assets, such as cryptocurrency, into the mainstream of financial transactions in our state. This effort concerns me greatly, and I have always been transparent about that.

Cryptocurrency is at the forefront of the kinds of illicit activity we have worked tirelessly to prevent in our state - human trafficking, drug trafficking, ransomware attacks, and the list goes on.

I have heard that argument that Idaho has the opportunity to be on the forefront of recognizing cryptocurrency before the federal government decides how they want to move forward in this area. To that, I say it is the constitutional obligation of the federal government to regulate our currency. If the federal government decides to take action, we will be required to update our statutes and regulations to conform whether the state takes action or not.

Sincerely,
/s/ Brad Little
Governor

OFFICE OF THE GOVERNOR
Boise

March 30, 2022

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed on March 29, 2022 and am transmitting to the Secretary of State the following House bills, to wit:

[H 673](#), [H 677](#), [H 694](#), [H 715](#), [H 728](#), as amended in the Senate, [H 770](#), and [H 801](#)

Sincerely,
/s/ Brad Little
Governor

OFFICE OF THE GOVERNOR
Boise

March 30, 2022

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed on March 30, 2022 and am transmitting to the Secretary of State the following House bill, to wit:

[H 807](#)

Sincerely,
/s/ Brad Little
Governor

OFFICE OF THE GOVERNOR
Boise

March 30, 2022

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed on March 30, 2022 and am transmitting to the Secretary of State the following House bill, to wit:

[H 575](#)

within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 6:10 p.m. on March 24, 2022.

While I have signed this bill, it does give me some concern. Recall that just three years ago the state was asked by one county for special dispensation - which was ultimately granted - to replace a courthouse that dated back to the 1880s. I do not want counties coming hat in hand to the Legislature to become the norm because we have made it even more difficult to finance a jail or courthouse with this bill.

Additionally, this bill singles out only counties, while cities and other taxing districts retain the ability to enter long-term leases. I am also concerned with the unintended consequences if counties are forced to seek judicial confirmation as the sole means to comply with their statutory obligation. Given these concerns, my hope is the Legislature will follow closely the consequences of this bill to see if restricting long-term leases is, in fact, the correct policy.

Sincerely,
/s/ Brad Little
Governor

OFFICE OF THE GOVERNOR
Boise

March 31, 2022

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed on March 31, 2022 and am transmitting to the Secretary of State the following House bill, to wit:

[H 800](#)

within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 12:25 p.m. on March 25, 2022.

This session I proposed, and the Legislature appropriated, a historic CEC. Given the tight labor market and record inflation under President Joe Biden, this salary adjustment will be critical to recruiting and retaining top talent for state agencies.

The judicial branch is no different. Recruiting and retaining high quality justices serves Idaho well. Tying judicial salaries to **House Bill 782** is unfortunate, and our judges deserve the courtesy of having their salaries considered separately from complex policy changes. I sign this appropriation bill in the hopes that judicial salaries are remedied early in the 2023 legislative session.

Sincerely,
/s/ Brad Little
Governor

OFFICE OF THE GOVERNOR
Boise

March 30, 2022

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed on March 30, 2022 and am transmitting to the Secretary of State the following House bills, to wit:

[H 616](#), as amended in the Senate, [H 703](#), [H 720](#), and [H 827](#)

Sincerely,
/s/ Brad Little
Governor

Mr. Moyle moved that the House recess until 1 p.m. Seconded by Ms. Rubel. Motion carried.

Whereupon the Speaker declared the House at recess until 1 p.m.

RECESS
Afternoon Session

The House reconvened at 1 p.m., the Speaker in the Chair.

Roll call showed 66 members present.

Absent and excused - Erickson, Giddings, Moon, and Scott.

Total - 4.

Total - 70.

Prior to recess, the House was at the Fourth Order of Business.

House of Representatives
State of Idaho

March 31, 2022

The Honorable Scott Bedke
Speaker of the House
Idaho House of Representatives
VIA HAND DELIVERY C/O Carrie Maulin, Chief Clerk

Dear Mr. Speaker,

Pursuant to Idaho Code 67-504, I hereby notify the House of Representatives that I delivered without my approval, disapproved, and vetoed the following House Bill, to wit:

[H 723](#), as amended in the Senate

This vetoed legislation and my objections were hand delivered during the legislative recess on March 30, 2022, at 10:35 a.m., to Carrie Maulin, Chief Clerk. This notice shall serve as the requirement under Idaho Code 67-504 as to whom the vetoed legislation was delivered to, as well as the date and time of its delivery.

Sincerely,
/s/ Brad Little
Governor of Idaho

THE OFFICE OF THE GOVERNOR
Boise

March 30, 2022

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I am returning herewith, without my approval, disapproved and vetoed:

[H 723](#), as amended in the Senate

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 10:45 a.m. on March 24, 2022.

Added investments in education have been a bright spot of this legislative session. Together, we passed the single largest increase in education funding in state history with targeted investments in teacher pay, health insurance benefits, increases in classified staff salaries, and K-3 literacy. Combined, these efforts added nearly \$300 million for public schools on top of the Elementary and Secondary School Emergency Relief (ESSER) funds that school districts continue to access.

The past two years, I have approved a temporary rule adopted by the State Board of Education, substituting enrollment for average daily attendance. Each time this rule was adopted, it was designed to address known funding challenges that schools were facing due to a large drop in daily attendance created by the pandemic - often by 15-percent or more.

I am supportive of the State Board reviewing the data with school administrators this fall and promulgating a temporary rule to maintain enrollment funding for the upcoming school year. My preference is not to commit to this change in advance of such data for the following year. In anticipation of such rule this fall, I have signed **House Bill 807** to provide the stability and resources that school districts need this year.

I am committed to additional education resources in the out years. There are many areas to address. A new funding formula is one area to explore, but I also want to continue exploring opportunities to increase pay and benefits and improve facilities, among others. All these options should be on the table.

/s/ Sincerely,
Brad Little
Governor

As required by Article 4, Section 10 of the Idaho Constitution, [H 723](#), as amended in the Senate, was before the House for reconsideration.

The question being, "Shall [H 723](#), as amended in the Senate, pass, the veto of the Governor notwithstanding?"

Mr. Moyle asked unanimous consent that [H 723](#), as amended in the Senate, be held at the Desk.

House of Representatives
State of Idaho

March 31, 2022

The Honorable Scott Bedke
Speaker of the House
Idaho House of Representatives
VIA HAND DELIVERY C/O Carrie Maulin, Chief Clerk

Dear Mr. Speaker,

Pursuant to Idaho Code 67-504, I hereby notify the House of Representatives that I delivered without my approval, disapproved, and vetoed the following House Bill, to wit:

[H 782](#)

This vetoed legislation and my objections were hand delivered during the legislative recess on March 30, 2022, at 1:10 p.m., to Carrie Maulin, Chief Clerk. This notice shall serve as the requirement under Idaho Code 67-504 as to whom the vetoed legislation was delivered to, as well as the date and time of its delivery.

Sincerely,
Brad Little
Governor of Idaho

The letter was ordered filed in the office of the Chief Clerk.

THE OFFICE OF THE GOVERNOR
Boise

March 30, 2022

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I am returning herewith, without my approval, disapproved and vetoed:

[H 782](#)

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 12:25 p.m. on March 25, 2022.

As Governor, and previously as Lieutenant Governor, I have participated in the appointment of dozens of district judges and

appellate court justices over the last decade. I have seen first-hand that our judges value our way of life and endeavor to interpret Idaho law consistent with its plain meaning.

I agree with the legislative sponsors of this bill that there is a need to modernize the Judicial Council. There were components of [H 782](#) I supported, but I think it is in Idaho's best interest to spend more time properly vetting these changes with all relevant stakeholders. Our starting point must be filtered through the lens of what will help us recruit and retain top quality judges for Idaho.

My office stands ready to support future efforts to modernize and improve the process by which Idaho fills judicial vacancies. I encourage my friends in the judicial and legislative branches to collaborate and identify areas of compromise that will increase transparency, preserve impartiality, and improve judicial recruitment.

/s/ Sincerely,
Brad Little
Governor

As required by Article 4, Section 10 of the Idaho Constitution, [H 782](#) was before the House for reconsideration.

The question being, "Shall [H 782](#) pass, the veto of the Governor notwithstanding?"

Mr. Moyle asked unanimous consent that [H 782](#) be held at the Desk.

There being no objection, the House advanced to the Seventh Order of Business.

7TH ORDER Motions, Memorials, and Resolutions

Mr. Adams asked unanimous consent that he be allowed to address the body on a matter of personal privilege. There being no objection, he delivered his comments to the House.

There being no objection, the House advanced to the Fifteenth Order of Business.

15TH ORDER Announcements

Announcements were made to the body.

Mr. Moyle asked unanimous consent that committees be appointed by the Speaker to notify the Governor and the Senate that the House is ready to adjourn Sine Die. There being no objection, it was so ordered.

The Speaker appointed Representatives Wood, Gibbs, and Toone to notify the Governor and Representatives Kauffman, Troy, and McCrostie to notify the Senate. The committees were excused.

The committee appointed to notify the Governor reported that it had delivered the message to the Governor. The committee was thanked and discharged by the Speaker.

The committee appointed to notify the Senate reported that they had delivered the message to the Senate. The committee was thanked and discharged by the Speaker.

**16TH ORDER
Adjournment**

Mr. Moyle moved that the Second Regular Session of the Sixty-sixth Legislature adjourn Sine Die. Seconded by Ms. Rubel.

Whereupon the Speaker declared the motion carried and the Second Regular Session of the Sixty-sixth Legislature adjourned Sine Die at 1:47 p.m., Thursday, March 31, 2022.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk

The following actions were recorded after House Sine Die:

THE OFFICE OF THE GOVERNOR
Boise

March 31, 2022

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I am transmitting today to the Secretary of State the following House bills which will be allowed to become law without my signature within the time limited by law:

[H 747](#) and [H 802](#)

Sincerely,
/s/ Brad Little
Governor

OFFICE OF THE GOVERNOR
Boise

March 31, 2022

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed on March 29, 2022 and am transmitting to the Secretary of State the following House bill, to wit:

[H 735](#), as amended in the Senate

Sincerely,
/s/ Brad Little
Governor

CERTIFICATE

WE, SCOTT BEDKE, Speaker of the House of Representatives, and CARRIE MAULIN, Chief Clerk, do hereby certify and attest as follows:

That we have carefully compiled in the House Journal of the Second Regular Session of the Sixty-sixth Legislature all of

the proceedings of the Eighty-first Legislative Day, and that the said Journal contains a full, true, and correct record of all of the proceedings of said House of Representatives for said day and final action upon all legislation.

IN WITNESS WHEREOF, we have hereunto set our hands, this April 6, 2022.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk